DEVELOPMENT AROUND MILITARY
INSTALLATIONS
2008 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Sheldon L. Killpack
House Sponsor: Brad L. Dee
LONG TITLE
General Description:
This bill modifies provisions relating to the Military Installation Development
Authority.
Highlighted Provisions:
This bill:
 authorizes the Military Installation Development Authority to:
 enter into an agreement with a political subdivision to receive municipal
services in a project area;
• exercise powers and perform functions, as authorized under a contract with the
federal government; and
amend a project area plan;
• clarifies that the employees that the Military Installation Development Authority is
authorized to hire includes contract employees; and
 makes allowable uses of tax increment applicable to other authority funds.
Monies Appropriated in this Bill:
None
Other Special Clauses:



26	None
27	Utah Code Sections Affected:
28	AMENDS:
29	63H-1-201, as enacted by Laws of Utah 2007, Chapter 23
30	63H-1-502, as enacted by Laws of Utah 2007, Chapter 23
31	ENACTS:
32	63H-1-403.5 , Utah Code Annotated 1953
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34	Be it enacted by the Legislature of the state of Utah:
35	Section 1. Section 63H-1-201 is amended to read:
36	63H-1-201. Creation of Military Installation Development Authority.
37	(1) There is created a Military Installation Development Authority.
38	(2) The authority is an independent, nonprofit, separate body corporate and politic,
39	with perpetual succession.
40	(3) The authority may:
41	(a) sue and be sued;
42	(b) enter into contracts generally;
43	(c) buy, obtain an option upon, or otherwise acquire any interest in real or personal
44	property within the boundaries of a military installation;
45	(d) sell, convey, grant, dispose of by gift, or otherwise dispose of any interest in real or
46	personal property;
47	(e) enter into a lease agreement on real or personal property, either as lessee or lessor,
48	within the boundaries of a military installation;
49	(f) provide for the development of military land under contracts with the federal
50	government;
51	(g) exercise powers and perform functions under a contract with the federal
52	government, as authorized in that contract;
53	[(g)] (h) receive tax increment as provided in this chapter;
54	[(h)] (i) accept financial or other assistance from any public or private source for the
55	authority's activities, powers, and duties, and expend any funds so received for any of the
56	purposes of this chapter;

57	(i) (j) borrow money or accept financial or other assistance from the federal
58	government, a public entity, or any other source for any of the purposes of this chapter and
59	comply with any conditions of the loan or assistance;
60	[(j)] (k) issue bonds to finance the undertaking of any development objectives of the
61	authority;
62	[(k)] (1) hire employees, including contract employees;
63	[(1)] (m) transact other business and exercise all other powers provided for in this
64	chapter; [and]
65	[(m)] (n) enter into a partnership agreement with a developer of military land[-]; and
66	(o) enter into an agreement with a political subdivision of the state under which the
67	political subdivision provides one or more municipal services within a project area.
68	Section 2. Section 63H-1-403.5 is enacted to read:
69	63H-1-403.5. Amendment to a project area plan.
70	(1) The authority may amend a project area plan by following the same procedure
71	under this part as applies to the adoption of a project area plan.
72	(2) The provisions of this part apply to the authority's adoption of an amendment to a
73	project area plan to the same extent as they apply to the adoption of a project area plan.
74	Section 3. Section 63H-1-502 is amended to read:
75	Part 5. Authority Funds
76	63H-1-502. Allowable uses of tax increment and other funds.
77	(1) The authority may use tax increment <u>and other funds available to the authority</u> :
78	(a) for any of the purposes for which the use of tax increment is authorized under this
79	chapter;
80	(b) for administrative, overhead, legal, and other operating expenses of the authority;
81	(c) to pay for, including financing or refinancing, all or part of the development of
82	military land;
83	(d) to pay the cost of the installation and construction of any publicly owned building,
84	facility, structure, landscaping, or other improvement within the project area from which the
85	tax increment funds were collected;
86	(e) to pay the cost of the installation of infrastructure and improvements outside the
87	project area from which the tax increment funds were collected if the authority board

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- determines by resolution that the infrastructure and improvements are of benefit to the project area; and
 - (f) to pay the principal of and interest on bonds issued by the authority.
- 91 (2) The determination of the authority board under Subsection (1)(e) regarding benefit 92 to the project area shall be final and conclusive.

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Fiscal Note

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State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

2/29/2008, 8:59:02 AM, Lead Analyst: Bleazard, M.

Office of the Legislative Fiscal Analyst